

unobjectionable. Entry thereof is respectfully requested. It is also respectfully requested that the Examiner reconsider the present application and claims as currently pending in view of the following remarks.

Claims 1 through 10 were rejected under 35 U.S.C. §112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention." Applicant is of the opinion that Claims 1 through 10 are in fact definite. Accordingly, Applicant asserts that the independent claims as well as the claims depending therefrom are allowable.

With respect to the rejection of Claims 1 through 10, Applicant's attorney respectfully asserts that the Examiner has not established a prima facie case of indefiniteness. One element of the prima facie case of indefiniteness to be analyzed is whether the claim language is clear to one of ordinary skill in the art. It is well known that one consideration involved in determining if claim language is clear to one of ordinary skill in the art is whether the language used is reasonably defined by and consistent with its dictionary meaning. Additionally, it is well settled that the language in the claims are to be read in light of the specification when determining whether the claims are definite.

The Examiner is of the opinion that it is not clear if the ring is in axial alignment with the crimps since "concentric" merely refers to elements having a common center. Applicant's attorney respectfully asserts that the Examiner's definition of "concentric" is correct. According to the 1976 unabridged edition of "Webster's Third New International Dictionary," the term concentric is defined as follows: "...having a common center (as circles one within another) – opposed to eccentric...". Furthermore, it is respectfully asserted that elements having a common center are necessarily in axial alignment along a given axis. Therefore, Applicant's attorney respectfully submits that

the ring(s) can be in axial alignment with the crimps provided that the area of the hose coupling concentric with the crimps is the area of peak crimp force, as per the limitation set forth in the claims.

According to the claims, it is particularly pointed out and distinctly claimed that a reinforcing ring is positioned concentric with an area of peak crimp force of the hose coupling. In reading the claims in light of the specification, it should be pointed out that the area of peak crimp force is different for, and dependent on, each unique design of a given hose coupling. Page 5, lines 13 through 19, and page 9, lines 16 through 21 of the specification are particularly instructive in this regard. Therefore, according to the specification and the dictionary definition of concentric, the reinforcing ring shares a common center with the area of peak crimp force.

In determining the exact location of the peak crimp force for a given hose coupling design, one simply refers to the specification, or uses the drawings as an example. In the preferred embodiment of Figure 5 Applicant believes that the area of peak crimp force is directly concentric with the depressions in the outer sleeve and, therefore, the reinforcing rings are positioned concentric therewith. In the embodiment of Figure 2, Applicant believes that the areas of peak crimp force 36 are located between, and not concentric with, the depressions 66 in the outer sleeve, and therefore the reinforcing rings are positioned therebetween.

Therefore, it is quite clear that independent Claims 1 and 6 broadly set forth that the reinforcing ring can be positioned concentrically (in axial alignment) with the depressions (crimps), or can be positioned between the depressions – depending upon which position is concentric with the area of peak crimp force. It is also quite clear that the recited reinforcement will result since the reinforcement ring will be positioned

concentric with the area of peak crimp force to provide a maximum concentration of reinforcement within the inner sleeve. Applicant's attorney respectfully submits that the breadth of the independent claims should not be equated with indefiniteness.

It is well settled that a claim may be broader than a specific embodiment disclosed in a specification and can be as broad as the prior art and application disclosure will allow. Here, the independent claims are broader than either of the example embodiments set forth in the application but are narrower than the prior art. Furthermore, the broad independent claims are well supported and enabled by the application disclosure since it is clearly set forth in the specification that the area of peak crimp force for a given hose coupling design can be determined by analyzing tested and failed couplings.

Applicant respectfully submits that no new matter has been added and that the claims particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

In view of the foregoing remarks, the undersigned attorney respectfully submits that the pending independent and dependent claims are in proper form, define patentably over the prior art, and are clearly allowable. With respect to the rejections concerning the dependent claims, it is to be noted that these claims are to be read in light of the claims from which they depend and accordingly, in view of the limitations as set forth in the independent claims, it is respectfully suggested that the dependent claims are also in condition for allowance. Applicant's attorney, therefore, respectfully requests that the Examiner's rejections to the claims under 35 U.S.C. §112 be withdrawn and that a formal Notice of Allowance be issued therefor.

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The prior art made of record but not relied on, namely Orain, Fukaya et al., Ryhman, and Zherebtsov (Kepeouob) has been reviewed with interest. It is respectfully submitted that the present invention defines patentably thereover. Additionally, a copy of the English translation of the Russian reference 119,043 to Zherebtsov is enclosed herewith for the convenience of the Examiner.

In accordance with 37 CFR §1.121, a copy of the claims as currently pending in the application, omitting all bracketed text and underlining, is included herewith as Exhibit A.

If the Examiner has any questions with respect to any matter now of record, Applicant's attorney may be reached at (248) 362-1210.

Respectfully submitted,

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Certificate under 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 5, 2001.

Date: February 5, 2001



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